

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>WILLIAM LANIER ELLIS, SR.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO.: 3:08-cv-55-WKW-SRW</b>
	)	
<b>TOMMY BOSWELL,</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION FOR EXTENSION OF TIME**

COMES NOW Russell County Sheriff Tommy Boswell, the Defendant in the above styled cause, and moves this Honorable Court for an extension of time of forty (40) days to file his Answer and Special Report. As the reasons for so moving, the Defendant states as follows:

1. On January 23, 2008, the Plaintiff filed this action in this Court (Doc. 1.) On January 24, 2008, the Court ordered a Special Report be filed by the Defendant on or before March 5, 2008. (Doc. 4.)
2. Counsel for the Defendant has only recently had the opportunity to meet with the Defendant and to gather the documentation necessary to provide this Court with a meaningful Special Report.
3. Counsel for the Defendant is in need of this additional time to fully review the extensive documentation, which is potentially relevant to this case, in order to fully respond to the Plaintiff's allegations and provide this Court with a meaningful Special Report.
4. The Defendant has not previously requested an extension of time in this case.
5. The Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully requests this Honorable Court grant his Motion for Extension of Time to file his Special Report and Answer up to and including April 14, 2008.

Respectfully submitted this 4<sup>th</sup> day of March, 2008.

**s/Joseph L. Hubbard, Jr.**  
JOSEPH L. HUBBARD, JR. (HUB015)  
Attorney for Defendant

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 4<sup>th</sup> day of March, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and sent notification of such filing by placing a copy of the same in the United States Mail, postage prepaid, to the following:

William Lanier Ellis, Sr.  
c/o Russell County Jail  
Post Office Box 640  
Phenix City, Alabama 36868

**s/Joseph L. Hubbard, Jr.**  
OF COUNSEL